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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,467	03/09/2001	Dominik J. Schmidt		7044

38236 7590 07/16/2004

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EXAMINER

YODER III, CHRISS S

ART UNIT PAPER NUMBER

2612

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/802,467	SCHMIDT, DOMINIK J.	
	Examiner	Art Unit	
	Chriss S. Yoder, III	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09/29/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, 13, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by DeLeeuw et al. (US Patent # 6,351,282).

2. In regard to claim 1, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera having a chamber to receive a film cartridge and a take-up spool to advance the film after each shot (column 1, line 60 – column 2, line 10; and figures 1-2), comprising a cartridge shaped to fit in the camera film chamber (column 2, lines 57-61; and figure 2), the cartridge including a processor (column 2, lines 58-59; the image processing canister), a storage unit coupled to the processor (column 3, lines 51-62; figure 2: 30, 36, and 39; the memory 39 is connected to the processor 30 using communication line 36), and an input output unit coupled to the processor (column 3, lines 51-52; and figure 2: 40); and a flexible strip having one end coupled to the cartridge and the other end adapted to be wound on the camera take-up spool (column 3, line 66 – column 4, line 6; and figure 2: 45), the flexible strip containing one or more imaging arrays deposited thereon to capture the digital image, each of the imaging arrays communicating with the processor (column 3, lines

Art Unit: 2612

50-51; and figure 2: 30 and 35; the image sensing array 35 communicates with the processor 30 using the ISA access lines).

3. In regard to claim 2, note DeLeeuw discloses that the strip is made from plastic (column 3, line 66 – column 4, line 2).

4. In regard to claim 13, note DeLeeuw discloses that the camera has a rewinder motor to automatically advance or retract the strip (column 1, lines 19-22; it is inherent that a film camera has a rewinder motor).

5. In regard to claim 15, this is a method claim, corresponding to the apparatus in claim 1. Therefore, claim 15 has been analyzed and rejected as previously discussed with respect claim 1.

6. In regard to claim 16, this is a method claim, corresponding to the apparatus in claim 13. Therefore, claim 16 has been analyzed and rejected as previously discussed with respect claim 13.

7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-4, 14, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLeeuw et al. (US Patent # 6,351,282).

Art Unit: 2612

9. In regard to claim 3, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that DeLeeuw fails to disclose that the strip is made from polyethylene terephthalate (PET).

Official Notice is taken that the concept and the advantages of using PET in the manufacturing of goods are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the DeLeeuw device to include the use of PET in order to make the device sturdier, lighter, and transparent

10. In regard to claim 4, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that DeLeeuw fails to disclose that the strip is made from a roll-to-roll process. Official Notice is taken that the concept and the advantages of using a roll-to-roll process in the manufacturing circuits is notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the DeLeeuw device to include the use of a roll-to-roll process in order to make the circuit flexible.

11. In regard to claim 14, note DeLeeuw discloses a tension generator driving a spool in the cartridge and controlled by the processor, the tension generator retarding spool rotation to simulate end of film to the camera (column 6, lines 35-41; although this is a separate embodiment, it would have been obvious to one of ordinary skill in the art to modify the first embodiment in order to simulate the "end of roll" condition, and notify the user that no more photos can be taken).

Art Unit: 2612

12. In regard to claim 18, this is a method claim, corresponding to the apparatus in claim 3. Therefore, claim 18 has been analyzed and rejected as previously discussed with respect claim 3.

13. In regard to claim 19, this is a method claim, corresponding to the apparatus in claim 4. Therefore, claim 19 has been analyzed and rejected as previously discussed with respect claim 4.

14. Claims 5-12, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLeeuw et al. (US Patent # 6,351,282) in view of Oswal (US Patent # 6,181,883).

15. In regard to claim 5, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that the DeLeeuw device lacks a shutter opening sensor positioned on the strip. Oswal disclose the use of a shutter opening sensor positioned on the strip (column 5, lines 33-43). Oswal teaches that the use of shutter opening sensor positioned on the strip is necessary in order to detect when the image is to be captured (column 5, lines 38-41). Therefore, it would have been obvious to one of ordinary skill in the art to modify the DeLeeuw device to include the use of shutter opening sensor positioned on the strip as suggested by Oswal.

16. In regard to claim 6, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that the DeLeeuw device lacks a storage unit that stores parameter data associated with each digital image. Oswal discloses the storage of additional information along with the image (column 9, lines 26-31). Oswal teaches that the storage of additional data is preferred in order to automatically compensate the image when it is processed for viewing or printing

Art Unit: 2612

(column 9, lines 26-31). Therefore, it would have been obvious to one of ordinary skill in the art to modify the DeLeeuw device to include the storage of parameter data associated with each digital image, as suggested by Oswal, in order to correct the image automatically.

17. In regard to claim 7, note Oswal discloses that the parameter data includes lighting condition (column 9, lines 26-31).

18. In regard to claim 8, note Oswal discloses that the parameter data is communicated automatically to photographic finishers who utilize the parameter data to improve print quality (column 9, lines 26-31).

19. In regard to claim 9, note DeLeeuw discloses the use of different resolution levels of images (column 2, lines 61-67) and Oswal discloses a compression engine coupled to the processor to compress image data or video data (column 4, lines 58-61).

20. In regard to claim 10, note DeLeeuw discloses that the compression engine includes JPEG (column 5, lines 66-67; although this is an alternate embodiment, it would have been obvious to modify the previous embodiment due to the notoriously well know usage of the JPEG standard).

21. In regard to claim 11, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that the DeLeeuw device lacks the use of a serial port, a Universal Serial Bus (USB) port, a PCMCIA port, an infrared port, or a wireless port as the input output unit. Oswal discloses the use of a serial port, a Universal Serial Bus (USB) port, a PCMCIA port, an infrared port, or a wireless port in the input output unit (column 4, lines 26-30). The use of a serial port, a Universal Serial Bus (USB) port, a PCMCIA port, an infrared port, or a wireless port in

Art Unit: 2612

communication of data is notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the DeLeeuw device to include the use of any of the above modes of communication in order to transfer data from one device to another.

22. In regard to claim 12, note DeLeeuw discloses the use of an apparatus for capturing a digital image from a film-based camera as claimed in claim 1. Therefore, it can be seen that the DeLeeuw device lacks the use of a Bluetooth port as the input output unit. Official Notice is taken that the concept and the advantages of Bluetooth ports are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the DeLeeuw device to include the use of Bluetooth in order to wirelessly connect two devices and transfer data between them.

23. In regard to claim 17, this is a method claim, corresponding to the apparatus in claim 11. Therefore, claim 17 has been analyzed and rejected as previously discussed with respect claim 11.

24. In regard to claim 20, this is a method claim, corresponding to the apparatus in claim 5. Therefore, claim 20 has been analyzed and rejected as previously discussed with respect claim 5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sauvante, Michael. "Roll-to-Roll Manufacturing." January 23, 2001. URL:

<http://web.archive.org/web/20010123204900/www.rolltronics.com/Roll2roll.htm>

Art Unit: 2612

US005625429A: note the use of a camera that communicates with an external device.

US005282040A: note the use of a film camera adapted to capture digital images.

US006393224B1: note the use of a cartridge to convert a film camera to a digital camera in order to capture digital images using a film camera.

US006370339B1: note the use of a cartridge to convert a film camera to a digital camera in order to capture digital images using a film camera.

US005452000A: note the use of a cartridge to convert a film camera to a digital camera in order to capture digital images using a film camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (703) 305-0344. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

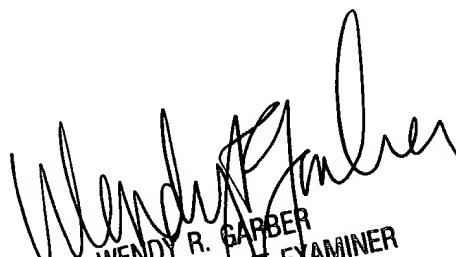
Application/Control Number: 09/802,467

Page 9

Art Unit: 2612

CSY

July 8, 2004


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